

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION St.NO.24609 OF 2015**

Ivo Peter Almeida

..Petitioner

Vs.

Eldred Joseph Almeida & Ors.

..Respondents

Mr. K. S. Dewal a/w Mr. Roshan Tanna for the Petitioner

CORAM : R. M. SAVANT, J.

DATE : 9th SEPTEMBER, 2015

P.C.

1 It is not necessary to interdict with the impugned order dated 6-7-2015 passed by the Learned 3rd Joint Civil Judge, Senior Division, Thane, as the above Petition has been filed on the ground that only the Plaintiff has been directed to remain present. However, the order discloses that in the 4th line, the Learned Judge has referred the Plaintiff in plural i.e. Plaintiffs, therefore it would have to be presumed that the Learned Judge has directed the Plaintiffs along with the witnesses to remain present for cross-examination. The same would also be in consonance with the fact that the application of the Defendant No.7 i.e. the Petitioner is disposed of on the ground that opportunity to cross examine is being offered to the said Defendant. With the aforesaid observations, the Writ Petition is disposed of.

[R.M.SAVANT, J]

Certified to be true and correct copy of the original signed order